

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER PATRICK MISLUK, JR.,

Plaintiff,

-against-

MICHAEL REGAN, ADMINISTRATOR,
ENVIRONMENTAL PROTECTION
AGENCY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/2/2024

23-cv-10976 (MKV)

ORDER OF SERVICE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff, who is proceeding *pro se*, paid the filing fees to commence this action.

The Clerk of Court is directed to issue a summons as to Defendant Michael Regan, Administrator, Environmental Protection Agency. Plaintiff is directed to serve the summons and complaint on Defendant within 90 days of the issuance of the summons.¹

If within those 90 days, Plaintiff has not either served Defendant or requested an extension of time to do so, the Court may dismiss the claims against Defendant under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

Plaintiff may receive court documents by email by completing the attached form, [Consent to Electronic Service](#).²

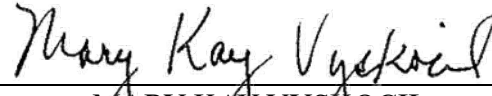
¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, the summons in this case was not issued when Plaintiff filed the complaint because he had not paid the filing and administrative fees. The Court therefore extends the time to serve until 90 days after the date the summons is issued.

² If Plaintiff consents to receive documents by email, Plaintiff will no longer receive court documents by regular mail.

The Clerk of Court is directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: January 2, 2024
New York, New York

A handwritten signature in cursive script, reading "Mary Kay Vyskočil".

MARY KAY VYSKOČIL
United States District Judge

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Please list all your pending and terminated cases to which you would like this consent to apply. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address

Date

Signature

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